

**COMBINED DECLARATION AND POWER OF ATTORNEY**

(PATENT - ORIGINAL, DESIGN, NATIONAL STAGE OF PCT)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

☐  
☐  
☒

Original

Design

National stage of PCT

**INVENTORSHIP DECLARATION**

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WRITING INSTRUMENT WITH VARIABLELY INCLINABLE TIP.

**SPECIFICATION IDENTIFICATION**

the specification of which:

☒

is attached hereto.

☐was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.87.

☒

was described and claimed in PCT International Application No. PCT/EP00/00358 filed on 18/JANUARY/2000 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all known information which is material to patentability as defined in Title 37, Code of Federal Regulations. § 1.56.

☐

In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States

of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

☐

no such applications have been filed.

☒

such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (a), enter the details below and make the priority claim.

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Country	Application Number	Date of Filing	Priority Claimed under 37 U.S.C. 119
GERMANY	199 01 629.1	18/JANUARY/1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
INTERNATIONAL	PCT/EP00/00368	18/JANUARY/2000	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: otherwise known as Customer No. 08933

Lewis F. Gould, Jr., Registration No. 25,057; William H. Murray, Registration No. 27,218; Stephan F. Gribok, Registration No. 29,643; Peter J. Cronk, Registration No. 32,021; Robert E. Rosenthal, Registration No. 33,450; Richard A. Paikoff, Registration No. 34,892; Samuel W. Apicelli, Registration No. 36,427; Steven E. Koffs, Registration No. 37,163; N. Stephen Kinsella, Registration No. 37,657; Daniel S. Goldberg, Registration No. 39,689; Gail A. Dalickas, Registration No. 40,979; Darius C. Gambino, Registration No. 41,472; and, Anthony Colesanti, Registration No. 42,428.

Please direct all correspondence to: Lewis F. Gould, Jr., Esq.

**DUANE, MORRIS & HECKSCHER LLP**  
One Liberty Place  
Philadelphia, PA 19103  
Telephone (215) 979-1283

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the application or any patent issued thereon.

13

SIGNATURE(S)

Full name of sole ~~or first~~ inventor ~~if any~~ Siegbert VIAL

Inventor's signature Siegbert Vial

Date 12 July 2001 Country of Citizenship GERMANY

Residence Burgwald, Germany

Post Office Address Im Heiligenfeld 7, D35099 Burgwald, Germany

Attorney Docket No: 3241-72

PH1\862853.1

① Confirmed by  
tel call on July  
17, 2001.

R. Reinhard  
R. Reinhard, attorney